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Southeastern Pennsylvania Transportation Authority  
*Safety • Service • Continuous Improvement*

ORIGINAL  
(per)

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**HAND DELIVERED**

November 29, 2001

Ms. Carlyn Winter Prisk (3HS11)  
United States Environmental  
Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

**RE: Section 104(e) CERCLA Request for Information  
Lower Darby Creek Area Superfund Site - Clearview  
Landfill, Folcroft Landfill and Folcroft Landfill Annex**

Dear Mr. Nishitani:

Enclosed, please find SEPTA's Answers to the Questions promulgated by the EPA in its Section 104(e) CERCLA request. These Answers are being filed in accordance with the extension of time granted to SEPTA by Brian Nishitani, counsel for the EPA.

SEPTA reserves the right to amend or modify these Answers should new information arise.

If you have any questions, please call me at (215) 580-7318.

Very truly yours,

*Eugene N. Cipriani*  
Eugene N. Cipriani  
Assistant Deputy Counsel

ENC/lr

cc: Brian Nishitani, Esquire  
United States Environmental  
Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Ira Bortnick, P.E. - SEPTA System Safety Department

## QUESTIONS

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1. State the name of your company, its mailing address, and telephone number.

Southeastern Pennsylvania Transportation Authority (SEPTA)  
1234 Market Street - 5<sup>th</sup> Floor  
Philadelphia, PA 19107-3780  
(215) 580-7800.

Further identify:

- a. The dates and states of incorporation of your company;

SEPTA is a body corporate and politic which exercises the public powers of the Commonwealth of Pennsylvania as an agency and instrumentality thereof. It was originally incorporated on February 17, 1964 in the Commonwealth of Pennsylvania, pursuant to the Metropolitan Transportation Authorities Act of 1963. It currently exists pursuant to the Public Transportation Law, Act 26 of 1991, as amended by Act 3 of 1994.

- b. The date and original state of incorporation of your company; and  
  
Same as above.

- c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.

SEPTA is a body corporate and politic which exercises the public powers of the Commonwealth of Pennsylvania as an agency and instrumentality thereof. SEPTA has no parent company, nor does it have any subsidiaries.

Since March 29, 1990, for purposes of the Interstate Commerce Commission ("ICC") and later, the Federal Motor Carrier Safety Administration ("FMCSA"), SEPTA has used the registered fictitious name "Trenton-Philadelphia Coach Company" to operate buses into and out of the State of New Jersey (from Pennsylvania).

2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania area, including but not limited to, the facilities located at 69<sup>th</sup> Street, 3<sup>rd</sup> and Courtland, 3<sup>rd</sup> and Wyoming, 11<sup>th</sup> and Grange, Bustleton Ave., 49<sup>th</sup> and Woodland, and Bridge Street? What was the nature of your business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.

Between 1958 and 1964, SEPTA did not exist. Between 1964 and 1976, SEPTA subsidized the commuter railroad operations of the former Pennsylvania Railroad (later the Penn Central Transportation Company) ("PRR-PCTC") and of the Reading Company ("Reading"). However, both railroads were independent contractors and SEPTA had no direct day-to-day control over their facilities. Further, none of the facilities listed above supported the railroad operations of either the PRR-PCTC or of the Reading.

Starting in September 1968 and continuing to the present, SEPTA operates the Philadelphia transit system which used to be the former Philadelphia Transportation Company ("PTC") system. Starting in January 1970 and continuing to the present, SEPTA has operated a suburban transit system which used to be the former Philadelphia Suburban Transportation Company ("PSTC") system, also called the Red Arrow Division. SEPTA is not a successor-in-interest nor is it responsible for the liabilities of PTC or PSTC.

a. 69<sup>th</sup> Street

Starting in September 1968, SEPTA operated buses in and out of the streets surrounding the 69<sup>th</sup> Street Terminal, serving routes in Delaware and Philadelphia Counties. Starting in September 1968, SEPTA also operated the Market Frankford Subway-Elevated trains between the 69<sup>th</sup> Street Terminal in Upper Darby, Pennsylvania and the Bridge-Pratt Terminal in the Frankford section of Philadelphia. Starting in January 1970, SEPTA operated buses, trolleys and an interurban rail line into and out of 69<sup>th</sup> Street Terminal. The names of the individual shops at 69<sup>th</sup> Street are the 69<sup>th</sup> Street Car House (for City Transit Division Market Frankford Subway Elevated trains); the Victory Avenue Garage (for the Suburban Transit Division buses); and the P & W Car House (for

the Norristown High Speed Line Interurban cars).

b. 3<sup>rd</sup> & Courtland

Starting in September 1968, SEPTA operated a trolley repair facility at this location. In addition, starting in September 1968, SEPTA Buildings, Maintenance of Ways and Structures Department based its operations at 3<sup>rd</sup> & Courtland.

c. 3<sup>rd</sup> & Wyoming

Starting in September 1968, SEPTA operated a storage house, repair facility and administrative offices at 3<sup>rd</sup> & Wyoming. The name of the repair facility between 1958 and 1976 was Wyoming Shop. In 1995, as part of SEPTA's office consolidation, the administrative offices were moved to 1234 Market Street, Philadelphia, PA. The repair facility remains today at 3<sup>rd</sup> & Wyoming and was renamed Berridge Shop in the 1990's.

d. 11<sup>th</sup> & Grange

Starting in September 1968, SEPTA operated a maintenance shop for the Broad Street Subway cars at the Fern Rock Shop.

e. Bustleton Avenue

Starting in September 1968, SEPTA conducted bus operations out of Comly Depot, located at Penn and Comly Streets, Philadelphia, Pennsylvania.

f. 49<sup>th</sup> & Woodland

Starting in September 1968, SEPTA conducted trolley operations and operated a trolley maintenance and repair facility from the 49<sup>th</sup> & Woodland shops.

g. Bridge Street

Starting in September 1968, SEPTA operated a running repair facility for the Market Frankford Subway Elevated Line.

- (b)(7)(D)  
(b)(7)(F)
3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.

SEPTA did not conduct any transit operations before 1968. Individuals employed by SEPTA who may have personal knowledge of SEPTA operations and waste disposal practices after 1968 through 1976 in the Philadelphia, Pennsylvania area are:

Joseph Quinn (Retired)

[REDACTED]  
[REDACTED]

Daniel Di Santis  
Assistant Chief Mechanical Officer  
Bus Operations  
Midvale Garage  
4301 Wissahickon Avenue  
Philadelphia, PA 19129  
(215) 580-3108

4. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:

SEPTA objects to this question as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities. PTC operated facilities at 69<sup>th</sup> Street, 3<sup>rd</sup> & Courtland, 3<sup>rd</sup> & Wyoming, 11<sup>th</sup> & Grange, Bustleton Avenue and 49<sup>th</sup> & Woodland between 1958 and September 1968. PSTC operated facilities at 69<sup>th</sup> Street between 1958 and January 1970. SEPTA is not a successor-in-interest nor is it in any way responsible for the liabilities of PTC or of PSTC.

- a. The dates of their operation;

Without waiving the Objection, see the answers to Questions 1 and

2 above for the dates that SEPTA operated the facilities listed above.

- b. The nature of their operation; and

Without waiving the Objection, see the answers to Questions 1 and 2 above for the nature of the operation SEPTA conducted at the above facilities.

- c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).

With the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information about waste handling of prior operators. Further, SEPTA has no information of its own about hazardous substances, hazardous wastes or wastes handling between 1968 (for former PTC properties) or 1970 (for former PSTC properties) to 1976.

5. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.

SEPTA objects to this question as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities.

- a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA answers that no information exists for the period between 1968 and 1976.

- b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA answers that no information exists for the period between 1968 and 1976.

- c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA answers that no information exists for the period between 1968 and 1976.

6. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS").

SEPTA objects to this question (1) as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities; (2) as being overly broad and unduly burdensome; and (3) to the extent it is not limited to material which was transported to or disposed of at the Lower Darby Creek Superfund Site.

Without waiving and subject to these Objections and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no documents or other information (including, but not limited to, Material Safety Data Sheets ["MSDS"]) detailing any hazardous substances used, generated, purchased, stored or otherwise handled at its facilities for the period between 1968 and 1976. Upon information and belief, from time to time, SEPTA may have used cleaning solvents and paints at its maintenance facilities (as well as fluorescent light ballasts), but it has no information to suggest that any of this material was transported to or disposed of at any portion of the Lower Darby Creek Superfund Site.

With respect to each such hazardous substance, further identify:

- a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;

See general response to Question 6 above.

- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;

See general response to Question 6 above.

- c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;

See general response to Question 6 above.

- d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;

See general response to Question 6 above.

- e. The types and sizes of containers in which these substances were transported and stored; and

See general response to Question 6 above.

- f. The persons or companies that supplied each such hazardous substance to your company.

See general response to Question 6 above.

- 7. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976.

SEPTA objects to this question (1) as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities; (2) as being overly broad and unduly burdensome; and (3) to the extent it is not limited to material which was



transported to or disposed of at the Lower Darby Creek Superfund Site.

Without waiving and subject to these Objections and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no documents or other information detailing any by-products and wastes generated, purchased, stored, transported, treated, disposed of, released, or otherwise handled at its establishment(s) in the Philadelphia, Pennsylvania area for the period between 1968 and 1976. See general answer to Question 6 above.

With respect to each such by-product and waste identified, further provide:

- a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;

See general answers to Questions 6 and 7 above.

- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;

See general answers to Questions 6 and 7 above.

- c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;

See general answers to Questions 6 and 7 above.

- d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;

See general answers to Questions 6 and 7 above.

- e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and

See general answers to Questions 6 and 7 above.

- f. The location and method of treatment and/or disposal of each such by-product or waste.

See general answers to Questions 6 and 7 above.

8. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckly Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jonas, Jonas Waste Removal, Paolino Company, Schiavo Bros., Inc. and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976 for disposal?

SEPTA objects to this question (1) as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities, and (2) as being overly broad and unduly burdensome.

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information to suggest that it did business with any of these entities for the period between 1968 and 1976.

If so, for each transaction identified above, please identify:

- a. The person with whom you made such a contract or arrangement;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- b. The date(s) on which or time period during which such material was removed or transported for disposal;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);

See Introductory Statement. Accordingly, the answer is Not Applicable.

- d. The annual quantity (number of loads, gallons, drums) of such material;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- e. The manner in which such material was containerized for shipment or disposal;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- f. The location to which such material was transported for disposal;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- g. The person(s) who selected the location to which such material was transported for disposal;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and

See Introductory Statement. Accordingly, the answer is Not Applicable.

- i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.

See Introductory Statement. Accordingly, the answer is Not Applicable.

9. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:

SEPTA objects to this question as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities.

- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information to suggest that it disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site for the period between 1968 and 1976.

- b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information to suggest that it arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site for the period between 1968 and 1976.

- c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information to suggest that it arranged for transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment for the period between 1968 and 1976.

- 10. For every instance in which your establishment(s) disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:

With the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information to suggest that it disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site or arranged for the disposal or

treatment of material at the Site for the period between 1968 and 1976.

- a. The date(s) on which such material was disposed of or treated at the Site;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);

See Introductory Statement. Accordingly, the answer is Not Applicable.

- c. The annual quantity (number of loads, gallons, drums) of such material;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- d. The specific location on the Site where such material was disposed of or treated; and

See Introductory Statement. Accordingly, the answer is Not Applicable.

- e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.

See Introductory Statement. Accordingly, the answer is Not Applicable.

11. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site?

SEPTA has no information to suggest that any waste generated by it was taken to, or spilled or released at the Clearview, Folcroft and

Folcroft Annex or any other portion of the Site.

If so, identify the following:

- a. The date(s) the spill(s)/release(s) occurred;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- b. The composition (i.e., chemical analysis) of the materials which were spilled/released;

See Introductory Statement. Accordingly, the answer is Not Applicable.

- c. The response made by you or on your behalf with respect to the spill(s)/release(s); and

See Introductory Statement. Accordingly, the answer is Not Applicable.

- d. The packaging, transportation, and final disposition of the materials which were spilled/released.

See Introductory Statement. Accordingly, the answer is Not Applicable.

12. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.

SEPTA objects to this question (1) as being irrelevant for the period between 1958 and 1968 during which time SEPTA operated no transit facilities, and (2) as being overly broad and unduly burdensome.

Without waiving the Objection and with the qualification that SEPTA did not conduct transit operations before 1968, SEPTA has no information concerning the individuals employed by it who were responsible for arranging for the removal and disposal of wastes, and has no information as to individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at its Philadelphia, Pennsylvania area establishment(s) between 1968 and 1976.

13. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site?

No.

If so, please provide all documents pertaining to such assessments or investigations.

None Exist.

14. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

None available.

15. Representative of your establishment(s):

- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.

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J. Philip Johnson  
Assistant General Manager  
Materiel & Contracts  
11<sup>th</sup> Floor  
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- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.

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Assistant Deputy Counsel  
SEPTA Legal Division  
1234 Market Street  
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(215) 580-7318



16. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

a. Your document retention policy;

SEPTA has no formal document retention policy. It is up to individual departments to decide how long to keep records.

b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;

Individual departments decide.

The Purchasing Department destroys records after seven (7) years following the close out of the contract project, although some residual information exists dating back to 1981. However, the Purchasing Department advises that there are no records relating to the firms mentioned in Question 8 for the period between 1958 and 1981.

c. A description of the type of information that would have been contained in the documents; and

With the qualification that SEPTA did not conduct transit operations before 1968, no information exists.

d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

With the qualification that SEPTA did not conduct transit operations before 1968, no information exists.

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